

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

CIVIL No. 09-0946 (JNE/AJB)

OPERATING ENGINEERS LOCAL #49 HEALTH  
AND WELFARE FUND AND CENTRAL PENSION  
FUND OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS AND PARTICIPATING  
EMPLOYERS, LOCAL #49 INTERNATIONAL  
UNION OF OPERATING ENGINEERS AND  
ASSOCIATED GENERAL CONTRACTORS OF  
MINNESOTA APPRENTICESHIP AND TRAINING  
PROGRAM AND THEIR TRUSTEES,

**ORDER**

PLAINTIFFS,

v.

WESTERN STEEL ERECTION, INC.,

DEFENDANT.

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Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan, dated March 1, 2010, with all the files and records, and with no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. That Plaintiffs' Motion for Entry of Judgment is granted.
2. That judgment in the amount of \$28,524.54 is entered against Defendant in favor of the Operating Engineers Local #49 Health and Welfare Fund, the Central Pension Fund of the International Union of Operating Engineers and Participating Employers, and the Local #49 International Union of Operating Engineers and Associated General Contractors of Minnesota Apprenticeship and Training Program ("Funds").

3. Upon adoption of this Recommendation, this Court will issue an Order for Entry of Judgment.

Dated: 3-19-2010

BY THE COURT

s/ Joan N. Ericksen  
Joan N. Ericksen  
United States District Court Judge